

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE THE BEAR STEARNS COMPANIES, INC.  
SECURITIES, DERIVATIVE, AND ERISA  
LITIGATION

This Document Relates To:  
Securities Action, No. 08 Civ. 2793 (RWS)

Master File No.:  
08 MDL 1963 (RWS)

ECF Case

BRUCE S. SHERMAN,

Plaintiff,

v.

BEAR STEARNS COMPANIES INC., JAMES CAYNE,  
WARREN SPECTOR AND DELOITTE & TOUCHE  
LLP,

Defendants.

Index No.:  
09 Civ. 8161 (RWS)

**DECLARATION OF JESSICA S. CAREY IN FURTHER SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND MOTION TO  
EXCLUDE THE REPORT AND TESTIMONY OF JOHN D. FINNERTY**

JESSICA S. CAREY declares pursuant to 28 U.S.C. § 1746:

1. I am a lawyer at Paul, Weiss, Rifkind, Wharton & Garrison LLP, counsel for defendant The Bear Stearns Companies Inc. ("Bear Stearns"). I submit this declaration in order to place before the Court documents that are referenced in the accompanying Defendants' Reply Memorandum of Law In Further Support of Their Motion for Summary Judgment and Defendants' Reply Memorandum of Law In Further

Support of Their Motion to Exclude the Report and Testimony of John D. Finnerty, dated November 20, 2015.

2. Exhibits 1-83 are attached to the Declaration of Jessica S. Carey in Support of Defendants' Motion for Summary Judgment and Motion to Exclude the Report and Testimony of John D. Finnerty, filed August 17, 2015.

3. Exhibit 84 is a copy of excerpts from Bear Stearns's Quarterly Report on Form 10-Q for the quarterly period ended May 31, 2007, filed with the SEC on July 10, 2007.

4. Exhibit 85 is a copy of excerpts from Bear Stearns's Quarterly Report on Form 10-Q for the quarterly period ended August 31, 2007, filed with the SEC October 10, 2007.

5. Exhibit 86 is a copy of excerpts from Bear Stearns's Quarterly Report on Form 10-Q for the quarterly period ended February 29, 2008, filed with the SEC April 14, 2008.

6. Exhibit 87 is a copy of excerpts from the transcript of the December 19, 2014 deposition of George Simeone.

7. Exhibit 88 is a copy of excerpts from the transcript of the September 18, 2014 deposition of Matthew Tannin.

8. Exhibit 89 is a copy of excerpts from the October 15, 2014 deposition of Ralph Cioffi.

9. Exhibit 90 is a copy of excerpts from the December 5, 2014 deposition of Paul Friedman.

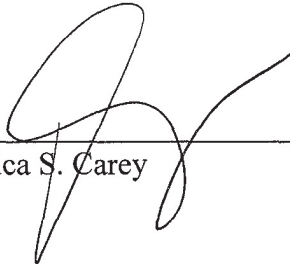
10. Exhibit 91 is a copy of excerpts from the transcript of the May 14, 2015 deposition of John D. Finnerty, Ph.D.

11. Exhibit 92 is a copy of excerpts from the 2014 Form 990-PF Tax Return filed by the Bruce and Cynthia Sherman Charitable Foundation, Inc., dated May 13, 2015.

12. Exhibit 93 is a copy of the Expert Report of Professor Bradford Cornell, dated October 23, 2015, submitted in *Jaffe v. Household Int'l, Inc.*, 02 Civ. 5893 (N.D. Ill.) (JLA).

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York  
November 20, 2015

  
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Jessica S. Carey